

IN THE CIRCUIT COURT OF MISSISSIPPI COUNTY, MISSOURI
CIRCUIT CIVIL DIVISION

CHARLOTTE WRIGHT,

)

Plaintiff,

)

v.

)

Case No.: _____

FAMILY DOLLAR STORES OF
MISSOURI, LLC,

)

)

Defendant.

)

Registered Agent:

)

CSC-Lawyers Incorporating Service Co.

)

,

PETITION FOR DAMAGES

Comes now Plaintiff, Charlotte Wright, by counsel, James M. McClellan and for her cause of action against Defendant states:

1. That Plaintiff, Charlotte Wright, is and was a resident of Charleston, Mississippi County, Missouri.
2. That Defendant, Family Dollar Stores of Missouri, LLC, is a business with a business location in Charleston, Mississippi County, Missouri.
3. That Plaintiff went to the Defendant's place of business on or about October 25, 2018.
4. That it was the duty of Defendant to use due care in the operation and maintenance of the premises so that they would not be dangerous to life or limb of persons lawfully entering at the invitation of Defendant.
5. That Defendant disregarded its duty in that regard and did not use due care to see that the premises were free of dangerous conditions. As a result of the dangerous condition consisting of a wet floor as a result of a "leaking fabric softener bottle" and no "wet floor" sign was present; the premises were not reasonably safe.

6. That without any knowledge of the dangerous and unsafe condition of the wet floor, Plaintiff lawfully entered onto the premises and not being reasonably able to see or know of the condition of the wet floor, was walking in an aisle in said business when she came to wet floor, causing her to fall and as a result of such fall, Plaintiff suffered severe personal injuries.
7. That Defendant knew, or by using ordinary care, could have known of the condition, but failed to use ordinary care to remove it, barricade it and/or warn of it.
8. That Defendant was negligent as follows:
 - (a) failed to keep its premises in a safe condition;
 - (b) caused a dangerous and hazardous condition to exist;
 - (c) did not exercise proper care;
 - (d) failed to provide proper warnings;
9. That as a direct and proximate result of the aforesaid occurrence, Plaintiff sustained serious, permanent and progressive bodily injuries as follows: she sustained bruising, contusion, tearing, spraining, straining and disruption of all of the bones, joints, tendons, ligaments, cartilage, muscles and other tissues comprising her body; she has been caused to suffer pain, stiffness and discomfort; she has been caused to suffer a shock to her nerves and entire nervous system and has lost the use, movement and function of the aforesaid parts of her body; she has been caused to suffer and will continue to suffer in the future, pain, anxiety, depression, stress, fear, frustration and humiliation; she has temporarily totally and permanently partially lost the ability to enjoy the ordinary pursuits of life.
10. That said injury was severe and disabling and has been and will in the future cause the Plaintiff to obtain further medical treatment and she has been and she will, in the future, be caused to suffer much pain, loss of sleep and has been and, will in the future, be caused to refrain from her normal pursuits.

WHEREFORE, Plaintiff prays the Court enter a jury determined judgment in a sum determined to be fair and reasonable in excess of the jurisdictional amount, for

costs and expenses incurred herein, and for such other and further relief as the Court may deem just and proper in the premises.

Attorney for Plaintiff



James M. McClellan #32209
820A North Main
P.O. Box 825
Sikeston, MO 63801
(573) 471-8300 Telephone
(573)471-1974 Facsimile
jmm-law@swbell.net Email



IN THE 33RD JUDICIAL CIRCUIT, MISSISSIPPI COUNTY, MISSOURI

Judge or Division: DAVID ANDREW DOLAN	Case Number: 20MI-CV00408
Plaintiff/Petitioner: CHARLOTTE E WRIGHT vs.	Plaintiff's/Petitioner's Attorney/Address JAMES MICHAEL MCCLELLAN ATTORNEY AT LAW P O BOX 825 SIKESTON, MO 638010790
Defendant/Respondent: FAMILY DOLLAR STORES OF MISSOURI - JEFF CITY	Court Address: P.O. BOX 369 CHARLESTON, MO 63834
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case**The State of Missouri to:** FAMILY DOLLAR STORES OF MISSOURI - JEFF CITY**Alias:**

CSC LAWYERS INC SERVICE CO
221 BOLIVAR STREET
JEFFERSON CITY, MO 65101

COURT SEAL OF**MISSISSIPPI COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

9/3/2020 _____

Date

/S/ DOTTIE MCKENZIE _____

Clerk

Further Information:

Sheriff's or Server's Return**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
 other: _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 33RD JUDICIAL CIRCUIT, MISSISSIPPI COUNTY, MISSOURI

Judge or Division: DAVID ANDREW DOLAN	Case Number: 20MI-CV00408	RECEIVED
Plaintiff/Petitioner: CHARLOTTE E WRIGHT	Plaintiff's/Petitioner's Attorney/Address JAMES MICHAEL MCCLELLAN ATTORNEY AT LAW P O BOX 825 SIKESTON, MO 638010790	SEP 08 2020 COLE COUNTY SHERIFF'S OFFICE
Defendant/Respondent: FAMILY DOLLAR STORES OF MISSOURI - JEFF CITY	Court Address: P.O. BOX 369 CHARLESTON, MO 63834	
Nature of Suit: CC Pers Injury-Other		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: FAMILY DOLLAR STORES OF MISSOURI - JEFF CITY

Alias:

CSC LAWYERS INC SERVICE CO
221 BOLIVAR STREET
JEFFERSON CITY, MO 65101
COURT SEAL OF



MISSISSIPPI COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

9/3/2020
Date/S/ DOTTIE MCKENZIE
Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

(for service on a corporation) delivering a copy of the summons and a copy of the complaint to: CSC Lawyers, S.L. (name) designee (title).

other: _____

Served at 350 E. High (address)
in Cole (County/City of St. Louis), MO, on 09-09-2020 (date) at 800A (time).

Sheriff John P Wheeler
Printed Name of Sheriff or Server

At Currie Way
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

FILED

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (miles @ \$. per mile)
Total	\$ _____

CIRCUIT COURT
MISSISSIPPI COUNTY, MO# 11752
\$200

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.